

## **Amendments to the Claims**

1-13. (Cancelled)

14. (Previously presented) A message delivery method, comprising:  
determining whether an expected delay for delivery of an electronic message is less than a threshold delay, wherein the expected delay is the expected delay for delivery of an electronic message by a message gateway;  
creating the electronic message only after determining that the expected delay is less than the threshold delay; and  
sending the electronic message to the message gateway only after determining that the expected delay is less than the threshold delay.

15. (Cancelled)

16. (Original) The method of claim 14, wherein determining whether the expected delay is less than a threshold delay includes sending a delay query.

17. (Original) The method of claim 14, wherein determining whether the expected delay is less than a threshold delay includes receiving a delay report.

18. (Currently amended) ~~The method of claim 17, A message delivery method,~~  
comprising:

determining whether an expected delay for delivery of an electronic message is less than a threshold delay, wherein the expected delay is the expected delay for delivery of an electronic message by a message gateway, wherein determining whether the expected delay is less than a threshold delay includes receiving a delay report, and wherein the delay report indicates whether the expected delay exceeds a threshold delay;

creating the electronic message only after determining that the expected delay is less than the threshold delay; and

sending the electronic message to the message gateway only after determining that the expected delay is less than the threshold delay.

19. (Cancelled)

20. (Original) The method of claim 14, wherein determining whether the expected delay exceeds a threshold delay includes:

receiving a delay report that indicates the length of the expected delay; and  
comparing the expected delay to the threshold delay.

21. (Original) The method of claim 14, wherein the electronic message is a short message service message.

22-31. (Cancelled)

32. (New) The method of claim 18, wherein determining whether the expected delay is less than a threshold delay includes sending a delay query.

33. (New) The method of claim 18, wherein the electronic message is a short message service message.